



OFF-HIGHWAY MOTOR VEHICLE RECREATION DIVISION INFORMATION BULLETIN

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Senate Bill 234 Recreational Off-Highway Vehicles

What is new?

Senate Bill 234 (Walters) was introduced in February 2013 to amend California Vehicle Code (CVC) Sections 38603 and 38604 as passed by AB 1595/AB 1266 which apply to recreational off-highway vehicles (ROV). SB 234 has moved through both Houses of the State Legislature and has received bipartisan support. Although the bill has been delayed past the July 1 implementation date, the author has placed a letter in the Senate Journal expressing her desire that the aftermarket seat prohibition not be enforced because passage of the bill will make it legal for 2013 and earlier models. A copy of the letter can be viewed and printed at <http://ohv.parks.ca.gov>

What will the bill do?

AB 1595/ AB 1266 introduced new laws promoting safe operation and equipment requirements for ROV's. SB 234 will amend two of those CVC Sections.

- Current CVC 38603: Operator of ROV shall not allow passenger to occupy a separate seat location not designed and provided by the manufacturer for a passenger.

SB 234 will amend CVC Section 38603 as follows:

- (a) A person operating a recreational off-highway vehicle with a model year of 2014 or later shall not allow a passenger to occupy a separate seat location not designed and provided by the manufacturer for a passenger.*
 - (b) Seats that are installed in a separate seat location not designed and provided by the manufacturer for a passenger in vehicles with model year of 2013 or earlier may be occupied by a passenger if the occupant of the seat is fully contained inside of the vehicle's rollover protection structure at all times while the vehicle is being operated.*
 - Current CVC 38604: Operator of ROV shall not ride with a passenger unless the passenger is seated upright with back against seatback and can grasp the occupant handhold with the seatbelt/ safety harness properly fastened.
- #### ***SB 234 will amend CVC Section 38604 with the addition of the following subsections:***
- (b) For purposes of this chapter, "occupant handhold" means any factory or aftermarket device grasped by an occupant to provide support and to assist in keeping arms and hands within the recreational off-highway vehicle. The steering wheel shall be considered an occupant handhold for the recreational off-highway vehicle operator.*
 - (c) Occupant handholds shall be designed to allow the recreational off-highway vehicle passenger to exit the vehicle without interference from the handholds.*

For additional updates and Bill information please visit our website: <http://ohv.parks.ca.gov>. Questions and Comments may be sent to: ohvinfo@parks.ca.gov with a subject line of SB 234. The Off-Highway Motor Vehicle Recreation Division will respond to all inquiries.